

REMARKS

Status of the Claims

Upon entry of the amendment above, claims 1 and 3-21 will be pending, claims 1, 13, 16, 18, and 19 being independent.

Summary of the Office Action

Claims 16 and 18 are rejected under 35 USC §102(b) as being anticipated by RUDY (U.S. Patent No. 4,506,460).

Claim 17 is rejected under 35 USC §103(a) as being unpatentable over RUDY in view of LUTHI (U.S. Patent No. 6,199,303).

Claims 1, 3-15, 19, and 20 are allowed and claim 21 is allowable but is objected to for depending from a rejected claim.

Response to the Office Action

Applicant gratefully acknowledges the indication of Allowability.

By means of the amendment above, the final subparagraphs of independent claims 16 and 18 have been amended to clarify their meaning as previously expressed. Specifically, prior to the amendment above, the final subparagraph of each of claims 16 and 18 stated: "each of said returns of said second reinforcement element extending transversely toward a respective edge of said first reinforcement element, leaving a clearance with said first reinforcement element."

In an attachment to his previous Office action, Applicant annotated his Fig. 2, which illustrates an example of a part of an article of footwear that is encompassed by claims 16 and 18, and RUDY's Fig. 6.

In each figure, Applicant had highlighted in yellow that which might be encompassed by the expression "first reinforcement element" and highlighted in orange that which might be encompassed by the expression "second reinforcement element."

Consistent with the aforementioned limitations that appear in claims 16 and 18, Applicant's Fig. 2 shows, with the assistance of a pair of red arrows, ***the returns of the second reinforcement element extending transversely toward a respective edge of said first reinforcement element.***

By contrast, in RUDY's Fig. 6, even the forwardmost ends of the second reinforcement element cannot be said to extend **transversely toward** a respective edge of the first reinforcement element.

During a telephone conversation with the Examiner on January 18, 2006, Applicant's undersigned representative agreed to clarify the language of claims 16 and 18 to specify that the term "transversely" refers to a direction that is transverse to the longitudinal direction, which is also recited in claims 16 and 18.

In view of the amendment, reconsideration and withdrawal of the rejections are kindly requested.

SUMMARY AND CONCLUSION

The grounds of rejection advanced in the Office action have been addressed and are believed to be overcome. Accordingly, reconsideration and allowance are respectfully requested.

Neither a fee nor an extension of time is believed to be due at this time. However, the Commissioner is authorized to charge any fee required for acceptance of this reply as timely and complete to Deposit Account No. 19-0089.

If it were to be found that an extension of time were necessary to render this reply timely and/or complete, Applicant requests an extension of time under 37 CFR §1.136(a) in the necessary increment(s) of month(s) to render this reply timely and/or complete and the Commissioner is authorized to charge any necessary extension of time fee under 37 CFR §1.17 to Deposit Account No. 19-0089.

Any comments or questions concerning this application can be directed to the undersigned at the telephone or fax number given below.

Respectfully submitted,
Frederic CRETINON



James L. Rowland
Reg. No. 32,674

January 23, 2006
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191 (telephone)
(703) 716-1180 (fax)

